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DOUGLAS L. WELLER 431 MAGNOLIA LANE SANTA CLARA, CA 95051			EXAMINER	
			WORKU, NEGUSSE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/772,608

Applicant(s)

TAN, HIN LEONG

Examiner

NEGUSSIE WORKU

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 09/07/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
5) ☐ Notice of Informal Patent Application.
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. This Office action is in response to the amendment filed on March 14, 2008, in which, claims 1 through 18 are pending in the application, and claims 17 and 18 are new. Applicant's arguments with respect to claims 1-18, have been considered but, applicant's amended subject matter read on the prior arts in combination..

Applicant's arguments filed on above indicated date have been fully considered but they are not persuasive.

Regarding claims 1, 7 and 13, the Applicant alleged that the combination of the prior arts fails to show or suggest, " A TWAIN source produces a composite image by tiling the image of individual sides of a multi-sided document" as currently amended in claims 1, 7 and 13, respectively. In response, the Examiner respectfully disagrees because the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, the Examiner asserts that the combination of Yoshida et al. (USP 5, 717, 9 41), in view of Powers et al. (USP 6,686,930), when considered as a whole clearly teaches that " a TWAIN source produces a composite image by tiling the

image of individual sides of a multi-sided document " as currently amended in claims 1, 7 and 13 are well-known in the art at the time of the invention was made. In particular, Yoshida '941' clearly suggested the advantage of combining the reference cited. In view of the above, having the system of Yoshida '941' and then given the well-established teaching of Powers '930, the Examiner asserts that it would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the two references. It should be known to one skilled in the art that anyone of a wide variety of scanning device using TWAIN source interface, can be similarly employed to accomplish this desired result without depending from the teaching of the present invention. Further, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

For the above reasons, the Examiner asserts that the combination of the prior art does in fact show the present claimed invention, is known to ordinary skilled in the art at the time of the invention was made, thus, the rejections are maintained as follows:

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. (USP 5, 719, 41), in view of Powers et al. (USP 6,686,930)

With regard to claim 1, Yoshida (941) teaches a method of scanning multi-sided documents, (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5) comprising: using a TWAIN source to control scanning of multiple sides of a multi-sided document by a scanning device [see step 4], col.4, 10-15);

producing, by the TWAIN source, producing a composite image by tiling the images of individual sides of the multi-sided document vertically, horizontally, or a combination of vertical and horizontal placements (as shown in fig 19, col.9, lines 65 through col.10, lines 1-8, after a back and front image data is scanned, subject to rotating/reducing operation, after which the image of the "front and back" are combined, into a single image data, see also col.9, lines 30-40).

Yoshida (941) does not teach transferring, using a TWAIN protocol, the composite image from the TWAIN source to the application running on a computing device.

Powers (930) in the same area of copy, paste and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches transferring, using a TWAIN protocol, the composite image from the TWAIN source to the application running on a computing device, (as discussed in col.5, lines 60-66, TWAIN protocol is a standard protocol used to transfer image or data from image processing application 514 of fig 3, to image source 518 of fig 5, see also col.9, lines 52-55).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reasons: (a) it would have helped a user avoid a process that can be frustrating and laborious, which is, manipulating the image portion in the application in an attempt to make the image portion fit in a target location, if attempt is unsuccessful, the user must reopen the source and make new selection, and thus it is a time consuming process and reduces a user's productivity. (b) It would have helped a user to provide for automatic scanning to fit, thereby reducing or eliminating numerous scanning iterations in a document processing system, as discussed by Powers (930) in col.4, lines 5-10 and col.3, lines 64-68.

With regard to claim 2, Yoshida (941) teaches wherein the scanning of multiple sides of the multi-sided document includes prompting a user to insert a next side of the

multi-sided document in the scanning device (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5), detecting a ready when the next side of the multi-sided document is ready for scanning; and, scanning the next side of the multi-sided document when the ready response is received, (detecting a ready response to scan from the system of fig 1, user input from keyboard 3 of fig 1, col.3, lines 5-8, or a button from scanner 6 of fig 1).

With regard to claim 3, Yoshida (941) teaches a method, (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5), wherein the detecting includes reading the ON/OFF status of a document sensor (22 of fig 2, indicative of the presence or the absence of the document, col.4, lines 3-8) on the scanner device (scanner 6 of fig 1, reading the ON/OFF status of a document sensor 22 on the scanner device 6 scan from the system of fig 1, to turn on and off the system of fig 1, col.4, lines 10-15).

With regard to claim 4, Yoshida (941) does not teach the method further comprising displaying a TWAIN source user interface for the user to select or edit scanning parameters and options.

Powers (930) in the same area of copy, paste and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches displaying a TWAIN source (518 of fig 510) user interface for the user to select or edit scanning parameters and options (information generated by 526 of fig 5, is made available to source manager

528, by the application 514 of fig 5, for example, to open and enable [display] a TWAIN image source 518 [step 430 and 434], so that an access to the generated information is includes in those command, col.10, lines 1-10, and as discussed in col. 10, lines 50-68, where inter face for user to select scanning parameters in 538 of fig 5, within the TWAIN 510 of FIG 5).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reasons: It would have help a user to provides for automatic scanning to fit, there by reducing or eliminating numerous scanning iterations in a document processing system, as discussed by Powers (930) in col.4, lines 5-10 and co.3, lines 64-68.

With regard to claim 5, Yoshida (941) dose not teach the method wherein the TWAIN source user interface includes at least one of the following: an option to select single or multi-sided scanning and/or an option to enable the use of a document sensor to automatically start scanning when a document is detected on the scanner device.

Powers (930) in the same area of copy, paste and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches TWAIN source user interface (510 of fig 5) includes an option to select single or multi-sided scanning and/or an option to enable the use of a document sensor to automatically start scanning when a document is detected on the scanner device (scanner 118 of fig 1, read at least a single document using a document feeding device [feeding and document sensor is inherently

included with in scanner 118 of fig 1, col.2, 5-10] which in and automatically start scanning, for example, copying and pasting scaling and/or resolution parameters are calculated and set automatically including scanning col.5, lines 10-15).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reasons; It would have help a user to provides for automatic scanning to fit, there by reducing or eliminating numerous scanning iterations in a document processing system, this eliminates guesswork on the part of the user, as discussed by Powers (930) in col.5, lines 10-15, and co.3, lines 64-68.

With regard to claim 6, Yoshida (941) teaches a method of scanning multi-sided documents, (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5), wherein the multi-sided document is a card (when it is desired to scan such document as, e.g., name cards having data on both side can be scanned, col.8, lines 25-33).

With regard to claim 7, Yoshida (941) teaches a method of scanning multi-sided documents, (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5) comprising: using a TWAIN source to control scanning side of multiple sides of a multi-sided document by a scanning device (scanner 6 of fig 1, for scanning both side of the document front and back side of the document, col.4, lines 10-30), each of the vertically tiled images being

an image of one side of the multi-sided document wherein the single composite image is transferred by sequentially scanning and transferring consecutive image rows of each side of the multi-sided document using a TWAIN buffered memory transfer method, (as shown in fig 19, col.9, lines 65 through col.10, lines 1-8, after a back and front image data is scanned, subject to rotating and reducing operation, after which the image of the "front and back" are combined, into a single image data, see also col.9, lines 30-40).

Yoshida (941) does not teach transferring a single composite image for the multi-sided document from the TWAIN source to the TWAIN application single composite image being produced by the TWAIN source and being composed of Vertically tiled images,.

Powers (930) in the same area of copy, past and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches transferring a single composite image for the multi-sided document from the TWAIN source to the TWAIN application single composite image being produced by the TWAIN source and being composed of Vertically tiled images, (as discussed in col.5, lines 60-66, TWAIN protocol is a standard protocol used to transfer image or data from image processing application 514 of fig 3, to image source 518 of fig 5, see also col.9, lines 52-55, which includes output device 546 of fig 5, is a computer storage device such as memory or disk drive for image of multi-sided document, col.11, lines 1-8).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reasons: (a) it would have help a user to

store the processed data in a memory device having a larger storing capacity, for latter use, when modification is finished or at appropriate intermediate point in the process.

With regard to claim 8, Yoshida (941) teaches a method, (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5), includes: prompting a user to insert a next side of the multi-sided document in the scanning device (front and back side scanning device shown in fig 1); detecting a ready response when he next side of the multi-sided document is ready for scanning; and scanning the next side of the multi-sided document when the ready response is received (detecting a ready response to scan from the system of fig 1, user input from keyboard 3 of fig 1, col.3, lines 5-8, or a button from scanner 6 of fig 1).

With regard to claim 9, Yoshida (941) teaches a method, (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5), wherein the detecting includes reading the ON/OFF status of a document sensor (22 of fig 2, indicative of the presence or the absence of the document, col.4, lines 3-8) on the scanning device (scanner 6 of fig 1, reading the ON/OFF status of a document sensor 22 on the scanner device 6 scan from the system of fig 1, to turn on and off the system of fig 1, col.4, lines 10-15).

With regard to claim 10, Yoshida (941) does not teach the method further comprising displaying a TWAIN source user interface for the user to select or edit scanning parameters and options.

Powers (930) in the same area of copy, paste and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches displaying a TWAIN source (518 of fig 510) user interface for the user to select or edit scanning parameters and options (information generated by 526 of fig 5, is made available to source manager 528, by the application 514 of fig 5, for example, to open and enable [display] a TWAIN image source 518 [step 430 and 434], so that an access to the generated information is included in those command, col.10, lines 1-10, and as discussed in col. 10, lines 50-68, where interface for user to select scanning parameters in 538 of fig 5, within the TWAIN 510 of FIG 5).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reasons: It would have help a user to provides for automatic scanning to fit, there by reducing or eliminating numerous scanning iterations in a document processing system, as discussed by Powers (930) in col.4, lines 5-10 and co.3, lines 64-68.

With regard to claim 11, Yoshida (941) does not teach the method wherein the TWAIN source user interface includes an option to select single or multi-sided scanning

and/or an option to enable the use of a document sensor to automatically start scanning when a document is detected on the scanner device.

Powers (930) in the same area of copy, paste and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches TWAIN source user interface (510 of fig 5) includes at least one of the following: an option to select single or multi-sided scanning and/or an option to enable the use of a document sensor to automatically start scanning when a document is detected on the scanner device (scanner 118 of fig 1, read at least a single document using a document feeding device [feeding and document sensor is inherently included with in scanner 118 of fig 1, col.2, 5-10] which in and automatically start scanning, for example, copying and pasting scaling and/or resolution parameters are calculated and set automatically including scanning col.5, lines 10-15).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reason:

It would have help a user to provides for automatic scanning to fit, there by reducing or eliminating numerous scanning iterations in a document processing system, this eliminates guesswork on the part of the user, as discussed by Powers (930) in col.5, lines 10-15, and co.3, lines 64-68.

With regard to claim 12, Yoshida (941) teaches a method of scanning multi-sided documents, (as shown in fig 19, a method of scanning multi-sided documents front and

back side of the document, col.9, lines 65 through col.10, lines 1-5), wherein the multi-sided document is a card (when it is desired to scan such document as, e.g., a card having a data on both side can be scanned, col.8, lines 25-33).

With regard to claim 13, Yoshida (941) teaches a method of scanning documents (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5), comprising:, scanning performed by a scanning device, including, when scanning of a multi-sided document is selected by the user, all sides of the multi-sided document and forwarding the single composite image from the TWAIN source to an application running on a computing system (the ON/OFF status of a document sensor 22 on the scanner device 6, scan from the system of fig 1, to turn on and off the system of fig 1, col.4, lines 10-15, waiting for user input to the user interface and detecting a ready response to scan from the system of fig 1, user input from keyboard 3 of fig 1, col.3, lines 5-8, or a button from scanner 6 of fig 1 to display user interface of fig 19).

Yoshida (941) does not teach displaying a TWAIN source user interface which allows a user to select options scanning of a multi-sided controlling, by use of a TWAIN source.

Powers (930) in the same area of copy, past and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches displaying a TWAIN source user interface which allows a user to select options scanning of a multi-sided controlling, by use of a TWAIN source, (information generated by 526 of fig 5, is made available to

source manager 528, by the application 514 of fig 5, for example, to open and enable [display] a TWAIN image source 518 [step 430 and 434], so that an access to the generated information is includes in those command, col.10, lines 1-10, and as discussed in col. 10, lines 50-68, where inter face for user to select scanning parameters in 538 of fig 5, within the TWAIN 510 of FIG 5).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reasons: (a) it would have help a user to store the processed data in a memory device having a larger storing capacity, for latter use, when modification is finished or at appropriate intermediate point in the process.

With regard to claim 14, Yoshida (941) dose not teach the method, further comprising of closing automatically the user interface when the scanning starts or when the scanning is completed.

Powers (930) in the same area of copy, paste and scan to fit image using a standard TWAIN data source as shown in fig 5, teaches the method, further comprising of closing automatically the user interface when the scanning starts or when the scanning is completed, (scanner 118 of fig 1, read at least a single document using a document feeding device [feeding and document sensor is inherently included with in scanner 118 of fig 1, col.2, 5-10] which in and automatically start scanning, for example, copying and pasting scaling and/or resolution parameters are calculated and set automatically including scanning col.5, lines 10-15).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Yoshida (941) by the teaching of Powers (930), for the following reason: It would have help a user to provides for automatic scanning to fit, there by reducing or eliminating numerous scanning iterations in a document processing system, this eliminates guesswork on the part of the user, as discussed by Powers (930) in col.5, lines 10-15, and co.3, lines 64-68.

With regard to claim 15, Yoshida (941) teaches a method of scanning multi-sided documents, (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5), wherein the multi-sided document is a card (when it is desired to scan such document as, e.g., name cards having data on both side can be scanned, col.8, lines 25-33).

With regard to claim 16, Yoshida (941) teaches the method 9as shown in fig 1), additionally comprising: providing an option in the TWAIN source user interface to enable/disable the use of a document sensor and when the document sensor is enabled, controlling scanning by the TWAIN source includes (scanner 6 of fig 1, reading the ON/OFF status of a document sensor 22 on the scanner device 6 scan from the system of fig 1, to turn on and off the system of fig 1, col.4, lines 10-15), waiting for user input to the user interface, checking the status of the document sensor on the scanning device when the use of the sensor is enabled, and scanning automatically when a

document is detected at the sensor when the use of the sensor is enabled (as shown in fig 19, a method of scanning multi-sided documents front and back side of the document, col.9, lines 65 through col.10, lines 1-5, waiting for user input to the user interface, checking the status of the document sensor on the scanning device when the use of the sensor is ON and Off status).

With regard to claim 17, Yoshida (941) teaches the method (as shown in fig 1), wherein the detecting includes receiving user input from a keyboard, a mouse, a voice activated device, or a button on the scanning device (the system of fig 1, having user input means such as from a keyboard, a mouse, a voice activated device, or a button on the scanning device).

With regard to claim 18, Yoshida (941) teaches the method 9as shown in fig 1), wherein the detecting includes receiving user input from a keyboard, a mouse, a voice activated device, or a button on the scanning device, (the system of fig 1, having user input means such as from a keyboard, a mouse, a voice activated device, or a button on the scanning device).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Examiner, Art Unit 2625

/Edward L. Coles/

Supervisory Patent Examiner, Art Unit 2625